



Counties of Inyo-Mono

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INYO/MONO COUNTIES AGRICULTURAL COMMISSIONER PESTICIDE USE ENFORCEMENT PROGRAM PLANNING and EVALUATION

May 30, 2007

Amended Work Plan FY 2006-2007

Inyo/Mono Counties' CAC currently is functioning with a small work force in the PUE Division. The Deputy Agricultural Commissioner position, which accounts for approximately 80% of our pesticide enforcement program, was vacant for approximately one year. With this position now filled, it is our intent to implement the following Pesticide Enforcement Work Plan for FY 2006-2007 and to be successful at completing it to the best of our ability with the staffing resources we have.

Inyo/Mono County's average current work activities include:

- Issuing 50-60 Restricted Material Permits/Operator ID's.
- 5% of Pre-sites – 10 pre-sites
- 25 Restricted NOI's reviewed
- 2 Structural Inspections
- 1 FWS inspection
- 4 Application Inspections
- 1 Record Audit
- 1 Illness Investigation
- 2 PCB/PCA Registrations
- 1 Outreach / Continuing Education / Industry Meetings
- 70 hours in Field Surveillance
- 1 Complaint Investigation

Inyo/Mono Counties' CAC staff resources during this Work Plan areas are as follows:

- 1 Agricultural Commissioner with 30 years experience (Program management)
- 1 Deputy Agricultural Commissioner with 23 years experience who devotes 50% of their time to pesticide use enforcement.

Inyo/Mono Counties' work plan for future program implementations will be based on evaluation of core enforcement areas during FY 2005-2006:

I. Restricted Materials Permitting

A. Permit Evaluation Process – Evaluation & Improvement Planning FY 2006/2007

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Inyo/Mono Counties will insure that our restricted materials permit system protects people and the environment while allowing for effective pest control. The CAC Office will focus on the following areas to accomplish this:

- Evaluate current site monitoring program to focus on areas of reoccurring non-compliances through non-compliance tracking system and follow up with permit conditions.
- Evaluate our current review process of NOIs to assure we thoroughly and consistently identify and evaluate all hazards posed by proposed applications through NOI tracking system.
- Inyo/Mono Counties will review permit renewal process to identify improvement needed in the following areas: Develop permit packet and issue to growers; review and issue final permit.
- Evaluate Permit denials and develop tracking system.
- Inyo/Mono Counties is requiring all growers to continue to develop and submit new maps of their sites in FY 2006-2007

B. Site monitoring plan development FY 2006-2007

Inyo/Mono Counties will continue to develop local and/or regional site monitoring plans that utilize our knowledge of pesticide hazards, local conditions, cropping, field work patterns, handler, permittee and advisor compliance histories through:

- Evaluate current presite monitoring. Identify problems and area of improvements needed.
- Monitor a minimum of 5% of approved NOI's.
- Focus on high priority situations through pre-site applications and pesticide application inspections near sensitive sites (schools, homes, occupied structures).

C. FY 2006-2007 Permit Evaluation Process

- During permit issuing process CAC staff will review site maps before issuing permits and implement any special conditions necessary to mitigate future non-compliance.
- Require new maps for all Restricted Materials Permits.

D. FY 2006-2007 Site monitoring plan development

- Evaluate effectiveness of pre-site work activities of FY 05-06 and implement improvements where needed.
- Inyo/Mono Counties will maintain pre-site inspection level of sensitive sites based on staff resources and levels of experience.
- Based on information received from monthly monitoring Inyo/Mono Counties will implement and necessary changes to improve site monitoring.

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II. Compliance Monitoring Plan Development FY 2006-2007

A. Comprehensive Inspection Plan Development

Inyo/Mono Counties will evaluate current inspection program for strengths, weaknesses and areas for improvement and develop a comprehensive plan to reduce risk to people and the environment through:

- Evaluate current inspection program and identify areas of improvement needed.
- Evaluate program balance between target and random inspections.
- Evaluate program to ensure we handle situations based on risk levels that include but are not limited to: Review of violation history; pesticide episode occurrences; and, pesticide use activities.

B. Investigation Response and Reporting Improvement FY 2006-2007

Inyo/Mono Counties will evaluate investigation responses and reports. Findings will be documented and program improvements will be implemented as soon as identifies through:

- Timely initiation and completion of all priority and non-priority investigations.
- Evaluate investigation timelines through tracking systems.
- Evaluate staff training needs for illness investigation reports and investigation techniques.
- Follow elements of the violation analysis techniques from DPR investigation guidance.
- Evaluate cause of violations and justify type of action taken.
- Identify suspected and casual violations discovered during investigations.
- Evaluate process used to respond to complaints.

III. Site Monitoring Plan Development FY 2006-2007

A. Comprehensive Inspection Plan Development FY 2006-2007

- Evaluate and assess effectiveness of inspections through tracking systems.
- Re-focus work activities to meet the level of enforcement needed to areas identified as risk.
- Management will review findings of tracking systems to identify areas of staffing deficiency and program effectiveness and implement improvements as needed.

B. Investigation response and reporting improvement FY 2006-2007

- Evaluate and assess effectiveness of investigation handling through tracking systems.
- Evaluate investigation time lines of information from tracking system on priority and non-priority episodes and implement improvements as needed.
- Investigation reports writing/implement improvements and conditional training.

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- Continue to follow elements of the violation analysis techniques from DPR investigation guidance and ensure they are consistent throughout CAC branch offices.
- Continue to evaluate cause of violation and justify type of action taken.
- Continue to identify suspected and casual violations discovered during investigations and take appropriate actions when necessary.
- Based on information received in evaluation process of complaint handling, CAC will implement improvements as needed.

IV. Enforcement response evaluation FY 2006-2007

Inyo/Mono Counties will evaluate the enforcement program to assure that it is fair, consistent and timely. Emphasis will be to detect and deter repeat violators through both compliance monitoring and enforcement response through:

- Evaluate current enforcement effectiveness through compliance and enforcement action.
- Evaluate effectiveness of response time from the time the CAC is notified of a pesticide incident to completion of investigation to protect against lost or compromised evidence.
- Evaluate response to violations whether by compliance or enforcement action and evaluate follow up process after compliance or enforcement action has been taken.
- Review Violation/NOPA process of how enforcement action is determined.

V. Enforcement Response Evaluation FY 2006-2007

For Fiscal Year 2006-2007, Inyo/Mono Counties will:

- Ensure compliance by responding appropriately to all violations.
- CAC will implement necessary changes to insure timely responses, which will protect against lost or compromised evidence.
- Respond to violations whether by compliance or enforcement action and document that follow up inspections have been completed.
- Review and implement changes on violation and NOPA process. Utilize DPR's "Decision Tree" for staff to follow when determining the level of action to take.

VI. Preparation for additional \$60,000 Residual Mill Funded Activities for FY 2007-2008

- Begin cross training process for one employee from Mosquito Abatement Program to perform pesticide inspections beginning July 2, 2007. This individual is currently awaiting results from taking the state licensing exam for Pesticide Regulation on May 23, 2007.
- Place order into county motor pool for one additional pick-up truck to ensure transportation for additional inspector effective July 2, 2007. The additional employee and vehicle will be utilized to achieve enhanced pesticide inspections goals set out in the FY 2007-2008 Work Plan.